



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 24, 2021

BY ECF

Honorable Andrew L. Carter, Jr.
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

USDC SDNY
DOCUMENT
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DATE FILED: 3/25/21

Re: *United States v. Johnny Nunez Garcia*, 19 Cr. 766 (ALC)

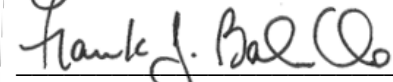
Dear Judge Carter,

A change-of-plea proceeding is scheduled in this case for Monday, March 29, 2021. Defense counsel has informed the Government that the defendant is not prepared to go ahead with the plea at this time. Accordingly, the parties respectfully request that the appearance be adjourned and that a status conference be scheduled for approximately 60 days from today's date, in or about mid/late-May 2021. The Government also requests—with the defense's consent—that in the interests of justice, pursuant to 18 U.S.C. § 3161(h)(7), time under the Speedy Trial Act be excluded between March 29, 2021 and the new conference date, so as to allow the defense to continue considering a proposed pretrial disposition, as well as to assess potential pretrial motions and otherwise prepare for trial.

Finally, the parties have conferred about a potential trial schedule and jointly and respectfully request that the Court put this case in the queue for a trial in the first quarter of 2022, with motions dates and other pretrial deadlines to be set at the next status conference.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney
Southern District of New York



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cc: Aaron Mysliwiec, Esq., and Christopher Madiou, Esq., *counsel for the defendant* (by ECF)

The application is **GRANTED**. Status conference set for 6/2/21
at 10:30 a.m. Time excluded.
So Ordered.

 3/25/21